

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, and DAWN BUCKINGHAM, M.D., in her official capacity as Commissioner of the Texas General Land Office,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HOMELAND SECURITY; and ALEJANDRO MAYORKAS, in his official capacity as Secretary of the Department of Homeland Security,

Defendants.

Civil Action No. 7:21-cv-00272

THE STATE OF MISSOURI; THE STATE OF TEXAS,

Plaintiffs,

v.

JOSEPH R. BIDEN, in his official capacity as President of the United States, *et al.*

Defendants.

Civil Action No. 7:21-cv-00420  
(formerly No. 6:21-cv-00052)

**DECLARATION OF ANJNA O'CONNOR**

I, Anjna O'Connor, declare as follows:

1. I am the Director, Border Infrastructure Program Management Office ("BIPMO"), U.S. Army Corps of Engineers ("USACE"), an agency of the Department of the Army. I have held this position since January 2022 and manage services provided to U.S. Customs and Border Protection ("CBP") for the construction of border infrastructure projects from design

to final construction completion and contract closeout by USACE under the Economy Act. From 2020 to 2022, I served as the Chief of the Program Branch for the BIPMO and from July 2018 to October 2019, I served as the Deputy Director for the BIPMO. From 2007-2008, I also served as the USACE Operations Cell Director for CBP's border fence construction under the Secure Fence Act of 2006.

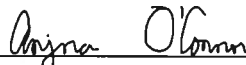
2. USACE plays a critical role in the planning, design, and construction of various infrastructure projects across the United States, including those related to border security. In the context of the border barrier construction, USACE has had a long-standing relationship with CBP and has been executing the construction of border infrastructure under U.S. Department of Homeland Security ("DHS")/CBP interagency agreements since 2007. USACE support to CBP's barrier construction efforts includes providing labor, technical expertise and services for planning, design, contract acquisition, project management, construction oversight, real estate acquisition and contract administration.
3. Based upon my current and past job duties, I am familiar with the actions that USACE undertakes to support CBP's efforts to construct physical barriers along the southern border, including the acquisition and disposition of construction materials.
4. Pursuant to an interagency agreement, CBP has provided USACE with approximately \$12 million from the fiscal year 2021 ("FY 2021") DHS barrier system appropriation to support project management, construction oversight, real estate acquisition and contract administration. This includes funds for labor costs to support CBP with excess material disposition activities and to facilitate the removal of those materials from USACE construction contractor storage yards.

5. Numerous unused steel bollard panels from construction projects are currently stored on USACE construction contractor yards. USACE is currently facilitating the transfer of unused bollard panels from its construction contractor yards to CBP for use on future barrier construction projects, including the 17-mile Starr County barrier project in the Rio Grande Valley. USACE is using the FY 2021 barrier system funds to pay for its labor associated with this bollard panel disposition process. USACE therefore will be required to use the FY 2021 barrier system funds to pay labor and other costs that USACE will incur to facilitate removal of the bollard panels from their current locations and transport them to new project or storage sites, where they can be used for the construction of physical barrier.
6. CBP reported excess non-bollard panel construction materials, such as light poles, rebar, wire mesh, manufactured steel tubes, construction beams, electrical components, etc., to the General Services Administration for disposition. USACE is supporting CBP in facilitating the transfer of these materials from USACE construction contractors. USACE must pay for its labor costs associated with this disposition work from the FY21 barrier system funds. If funds are not available for this purpose, USACE will not have funding to facilitate the transfer of this material.

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This declaration is made pursuant to 28 U.S.C. 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 20th day of March, 2024

  
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Anjna O'Connor  
Director, Border Infrastructure Management Office